

UNITED STATES OF AMERICA, )  
 )  
 )  
 v. ) Criminal No. 07-100  
 )  
 FREDDIE MILLER, )  
 )  
 Defendant. )

Defendant Freddie Miller (“defendant”) is in the custody of the Bureau of Prisons (“BOP”) at Federal Correctional Institution Fort Dix (“FCI Fort Dix”). Pending before the court is defendant’s motion for a recommendation that the BOP place defendant in a halfway house or residential reentry center for twelve months of his sentence. (ECF No. 752.) The government filed a response in opposition to defendant’s motion. (ECF No. 758.) For the reasons set forth in the memorandum opinion, defendant’s motion will be denied.

“It is beyond question that the BOP is authorized to designate the place of a prisoner’s imprisonment.” United States v. Harris, Crim. Action No. 02-385, 2004 WL 350171, at \*1 (E.D. Pa. Feb. 10, 2004) (citing 18 U.S.C. § 3621(b)). The BOP is granted that discretion because it is in the best position to evaluate whether a prisoner meets the requirements for placement in a specific facility under BOP Policy Statement 7310.04. Although this court may make a recommendation to the BOP about placement of a defendant at a specific facility, this court presently lacks knowledge about defendant’s activities within the BOP. Under those circumstances, the court is not in a position to evaluate whether defendant meets the requirements set forth by the BOP to qualify for placement in a halfway house halfway house or residential

reentry center. The court, therefore, cannot recommend to the BOP that defendant be permitted to serve twelve months of his sentence in a halfway house or residential reentry center.

In consideration of defendant's motion and his desire for a "successful reintegration into society[,]" however, the court will send a letter to Warden Jordan Hollingsworth of FCI Fort Dix to request that the BOP review defendant's file to determine if he qualifies for placement in a halfway house or other residential reentry center. An appropriate order will be entered.

By the court,

Dated: December 4, 2017

/s/ JOY FLOWERS CONTI

Joy Flowers Conti

Chief United States District Court Judge

Cc:

Freddie Miller

#09419-068

FCI Fort Dix

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